

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

YUKIO KUSADA, )  
Plaintiff )  
 )  
v. ) Civil Action No.: 05-30043-MAP  
BERKSHIRE EAST SKI RESORT, )  
UNION TERMINAL PIERS, INC., )  
and )  
NORTHFIELD MOUNT HERMON )  
SCHOOL, )  
Defendant and )  
Third Party Plaintiff )  
 )  
v. )  
 )  
TAKERU KUSADA )  
Third Party Defendant )

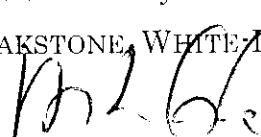
PLAINTIFF'S CERTIFICATE OF COMPLIANCE  
WITH LOCAL RULE 16.1(D)(3)

Plaintiff, Yukio Kusada, and his counsel certify, pursuant to Local Rule 16.1(D)(3), that they have conferred on the following:

1. establishing a budget for the costs of conducting the full course, and various alternatives, of this litigation; and
2. to consider the resolution of litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

By His Attorneys

BREAKSTONE, WHITE, LIEF & GLUCK, P.C.



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Dated: April 28, 2005